

RECEIVED
CENTRAL FAX CENTER

MAY 09 2007

Claim Amendments

The following listing of claims replaces all prior versions of claims in the application:

Claims 1 ~ 57 (Canceled).

58. (New) A wall fastener for use between a stud wall and a mounting track, and configured to support first and second wall cladding material members relative to each other to provide a continuous wall cladding material structure between the stud wall and the mounting track, the mounting track having side walls with an inside surface and an outside surface, the fastener comprising:

a first portion having first and second opposed primary surfaces and first and second sides, the first portion being secured to the mounting track with the first primary surface facing the mounting track and the second primary surface facing the first wall cladding material member;

a second portion having a third primary surface that extends parallel to the first portion and is offset from the second primary surface a predetermined distance, the second portion being secured to the second wall cladding material member with the third primary surface facing the second wall cladding material member thereby supporting the second wall cladding material member in engagement with the first wall cladding material member;

a first fastening structure secured to the first side of the first portion, the first fastening structure slidably engaging the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the stud wall;

a third portion extending between the first and second portions to secure the first and second portions together; and

a fourth portion secured to the second portion and extending from the second portion toward the first portion, the fourth portion including a surface that extends in the same plane as the first surface.

59. (New) The wall fastener of claim 58, wherein the first wall cladding material member is secured to the stud wall and not secured to the wall fastener, and the second wall cladding material member is secured only to the second portion.

60. (New) The wall fastener of claim 59, wherein a primary wall member is secured to the plurality of studs, and the first portion is movably positioned between the primary wall member and one of the studs.

61. (New) The wall fastener of claim 58, wherein a secondary wall member is secured to the second portion so as to be overlapping with the primary wall member and movable relative to the primary wall member.

62. (New) The wall fastener of claim 58, wherein the first portion includes an aperture formed therein, the aperture sized to receive a fastener for securing the first portion to the mounting track.

63. (New) The wall fastener of claim 59, wherein the first fastening structure includes a wrap around structure configured to engage a flange of the stud.

64. (New) The wall fastener of claim 58, further comprising a second fastening structure secured to the second side of the first portion, the second fastening structure being configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the wall.

65. (New) The wall fastener of claim 64, wherein the second fastening structure includes a wrap around structure configured to engage a flange of the stud.

66. (New) The wall fastener of claim 64, wherein the stud wall includes a stud that includes first and second sides, and the first fastening structure is configured to engage the first side of the stud and the second fastening structure is configured to engage the second side of the stud.

67. (New) The wall fastener of claim 64, wherein the stud wall includes a stud having a thickness measured in a direction perpendicular to a plane defined by the first primary surface, and the first portion of the fastener has a width greater than the thickness of the stud, whereby the first portion is secured to the mounting track at a location on the first portion offset from alignment with the stud.

68. (New) The wall fastener of claim 58, wherein the wall fastener comprises a single unitary piece of material.

69. (New) A wall fastener for use between a stud wall and a mounting track, and configured to support first and second wall cladding material members relative to each other to provide a continuous wall cladding material structure between the stud wall and the mounting track, the mounting track having side walls with an inside surface and an outside surface, the fastener comprising:

a first portion having first and second opposed primary surfaces and first and second sides, the first portion being secured to the mounting track with the first primary surface facing the mounting track and the second primary surface facing the first wall cladding material member;

a second portion having a third primary surface that extends parallel to the first portion and is offset from the second primary surface of a predetermined distance, the second portion being secured to the second wall cladding material member with the third primary surface facing the second wall cladding material member thereby supporting the second wall cladding material member in engagement with the first wall cladding material member;

a third portion extending between the first and second portions to secure the first and second portions together;

a fourth portion secured to the second portion and extending from the second portion toward the first portion; and

a contact member extending from the fourth portion in a direction parallel to, and in the same plane as, the first primary surface and configured to contact the mounting track.

70. (New) The wall fastener of claim 69, comprising a first fastening structure secured to the first side of the first portion, the first fastening structure configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the stud wall.

71. (New) The wall fastener of claim 70, comprising a second fastening structure secured to the second side of the first portion, the second fastening structure configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the wall.

72. (New) The wall fastener of claim 70, comprising a wrap around structure on the first fastening structure configured to engage a flange of the stud.

73. (New) The wall fastener of claim 71, wherein the second fastening structure includes a wrap around structure configured to engage a flange of the stud.

74. (New) The wall fastener of claim 68, wherein the first wall cladding material member is secured to the stud wall and not secured to the wall fastener, and the second wall cladding material member is secured only to the second portion.

75. (New) The wall fastener of claim 74, wherein a primary wall member is secured to the plurality of studs, and the first portion is movably positioned between the primary wall member and one of the studs.

76. (New) The wall fastener of claim 68, wherein a secondary wall member is secured to the second portion so as to be overlapping with the primary wall member and movable relative to the primary wall member.

77. (New) The wall fastener of claim 68, wherein the first portion includes an aperture formed therein, the aperture sized to receive a fastener for securing the first portion to the mounting track.

78. (New) The wall fastener of claim 68, wherein the stud wall includes a stud that includes first and second sides, and the first fastening structure is configured to engage the first side of the stud and the second fastening structure is configured to engage the second side of the stud.

79. (New) The wall fastener of claim 68, wherein the stud wall includes a stud having a thickness measured in a direction perpendicular to a plane defined by the first primary surface, and the first portion of the fastener has a width greater than the thickness of the stud, whereby the first portion is secured to the mounting track at a location on the first portion offset from alignment with the stud.

80. (New) The wall fastener of claim 68, wherein the wall fastener comprises a single unitary piece of material.

81. (New) A wall fastener for use between a stud wall and a mounting track, and configured to support first and second wall cladding material members relative to each other to provide a continuous wall cladding material structure between the stud wall and

the mounting track, the mounting track having side walls with an inside surface and an outside surface, the fastener comprising:

a first portion having first and second opposed primary surfaces and first and second sides, the first portion being secured to the mounting track with the first primary surface facing the mounting track and the second primary surface facing the first wall cladding material member;

a second portion having a third primary surface that extends parallel to the first portion and is offset from the second primary surface of a predetermined distance, the second portion being secured to the second wall cladding material member with the third primary surface facing the second wall cladding material member thereby supporting the second wall cladding material member in engagement with the first wall cladding material member;

a third portion extending between the first and second portions to secure the first and second portions together;

a fourth portion secured to the second portion and extending from the second portion toward the first portion;

a contact member extending from the fourth portion in a direction parallel to, and in the same plane as, the first primary surface and configured to contact the mounting track; and

a first fastening structure secured to the first side of the first portion, the first fastening structure configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the stud wall.

82. (New) The wall fastener of claim 81, comprising a second fastening structure secured to a second second side of the first portion, the second fastening structure configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the stud wall.

83. (New) The wall fastener of claim 81, comprising wherein the first fastening structure comprises a first wrap around structure configured to engage a flange of the stud.

84. (New) The wall fastener of claim 82, wherein the second fastening structure comprises a second wrap around structure configured to engage a flange of the stud.

85. (New) The wall fastener of claim 81, wherein the first wall cladding material member is secured to the stud wall and not secured to the wall fastener, and the second wall cladding material member is secured only to the second portion.

86. (New) The wall fastener of claim 81, wherein a primary wall member is secured to the plurality of studs, and the first portion is movably positioned between the primary wall member and one of the studs.

87. (New) The wall fastener of claim 86, wherein a secondary wall member is secured to the second portion so as to be overlapping with the primary wall member and movable relative to the primary wall member.

88. (New) The wall fastener of claim 81, wherein the first portion includes an aperture formed therein, the aperture sized to receive a fastener for securing the first portion to the mounting track.

89. (New) The wall fastener of claim 81, wherein the stud wall includes a stud that includes first and second sides, and the first fastening structure is configured to engage the first side of the stud and the second fastening structure is configured to engage the second side of the stud.

90. (New) The wall fastener of claim 81, wherein the stud wall includes a stud having a thickness measured in a direction perpendicular to a plane defined by the first primary surface, and the first portion of the fastener has a width greater than the thickness of the stud, whereby the first portion is secured to the mounting track at a location on the first portion offset from alignment with the stud.

91. (New) The wall fastener of claim 81, wherein the wall fastener comprises a single unitary piece of material.

92. (New) A wall fastener for use between a stud wall and a mounting track, and configured to support first and second wall cladding material members relative to each other to provide a continuous wall cladding material structure between the stud wall and the mounting track, the mounting track having side walls with an inside surface and an outside surface, the fastener comprising:

a first portion having first and second opposed primary surfaces and first and second sides, the first portion being secured to the mounting track with the first primary surface facing the mounting track and the second primary surface facing the first wall cladding material member;

a second portion having a third primary surface that extends parallel to the first portion and is offset from the second primary surface of a predetermined distance, the second portion being secured to the second wall cladding material member with the third primary surface facing the second wall cladding material member thereby supporting the second wall cladding material member in engagement with the first wall cladding material member;

a third portion extending between the first and second portions to secure the first and second portions together;

a fourth portion secured to the second portion and extending from the second portion toward the first portion;

a contact member extending from the fourth portion in a direction parallel to, and in the same plane as, the first primary surface and configured to contact the mounting track;

a first and second fastening structure secured to the first and second sides of the first portion, the first and second fastening structures configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the stud wall; and

the first and second fastening structures include first and second wrap around structures configured to engage a flange of the stud.

93. (New) A method of forming a wall fastener, the wall fastener configured to retain a stud wall to a slip track and to support a secondary wallboard member in engagement with a primary wallboard member of the stud wall, the method comprising the steps of:

forming a first portion having first and second opposed primary surfaces, the first portion secured to an outside surface of a side wall of the slip track with the first primary surface facing the outside surface and the second primary surface facing a primary wallboard member;

forming a second portion having a third primary surface that extends parallel to the plane of the first portion and is offset from the second primary surface of the first portion a predetermined distance;

securing the secondary wallboard member to the second portion with the third primary surface of the second portion facing the secondary wallboard member;

positioning the secondary wallboard member in engagement with the primary wallboard member;

forming a third portion that extends from the top edge of the first portion to the bottom edge of the second portion to secure the first and second portions together.

forming a fourth portion extending from the top edge of the second portion in a direction toward the plane of the first portion and in contact the with slip track;

forming a contact member extending from the fourth portion in a direction parallel to the plane of the first portion and in contact with the slip track; and

forming first fastening structure secured to the first side of the first portion, the first fastening structure configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the stud wall.

94. (New) The wall fastener of claim 93, comprising the step of forming a second fastening structure secured to a second side of the first portion, the second fastening structure configured to slidably engage the stud wall thereby retaining the wall fastener to the stud wall while providing sliding movement of the wall fastener relative to the stud wall.

95. (New) The wall fastener of claim 93, comprising the step of forming a first wrap around structure on the first fastening structure configured to engage a flange of the stud.

96. (New) The wall fastener of claim 94, comprising the step of forming a second wrap around structure on the second fastening structure configured to engage a flange of the stud.

97. (New) The method of claim 93, comprising the steps of securing the primary wallboard member to the stud wall and not to the wall fastener and securing the secondary wallboard member only to the third primary surface of the second portion.

98. (New) The method of claim 97, comprising the steps of securing the primary wallboard member to a plurality of studs and positioning the first portion between the primary wallboard member and one of the studs so that the first portion can move therebetween.

99. (New) The method of claim 93, comprising the steps of securing the secondary wallboard member to the third primary surface of the second portion, so that it overlaps with the primary wallboard member and is movable relative to the primary wallboard member.

100. (New) The method of claim 93, comprising the step of forming an aperture in the first portion, the aperture sized to receive a fastener for securing the first portion to the slip track.

101. (New) The method of claim 93, wherein the step of forming the third portion includes bending the third portion into an orientation substantially perpendicular to the the top edge of the first portion and the bottom edge of the second portion.